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REVIEW

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- The Future of EMAS
- Directive on Ecodesign, the way forward regarding IPP ?
- Building a climate policy in Belgium: flexible mechanisms in a flexible state
- Implications of the Clean Development Mechanism under the Kyoto Protocol on other Conventions:
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The network of European Environment and Sustainable Development Advisory Councils (EEAC)

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Abstract

Advisory councils for environmental policy and sustainable development are a special kind of body, established by national and regional governments with the explicit task of giving independent policy advice. A variety of institutional types of councils has evolved over time, some of which have common tasks and some of which are more distinct. The network of European Environment and Sustainable Development Advisory Councils (EEAC) is an own initiative for cooperation, whose objectives are to allow member states' councils to exchange experiences and to collaborate in giving policy advice at EU level where appropriate. EEAC has developed from a rather loose set of discussions into what is now an extensive network with some degree of institutionalisation. It gives selective, joint advice on EU policy development, which can be a distinctive source of influence upon environmental policy and sustainable development.

1 Introduction

Advisory councils in general, including those for environmental policy and sustainable development, are a special kind of body with an unusual position between 'government' and 'non-government'. They are established by national and regional governments with the explicit task of giving independent policy advice. They are typically not only independent in substantive terms, but also in organisational respects, i.e. they have an independent budget allocation and an independent secretariat for coordination and support. Only for basic administrative functions (e.g. personnel management) are they typically linked to a government institution. This article provides an overview of the broad range of council types in the EU member states and regions (chapter 2.), presents the network of European Environment and Sustainable Development Advisory Councils (EEAC) as an own initiative for cooperation, whose objectives are to allow member states' councils to exchange experiences and to collaborate in giving policy advice at EU level where appropriate, and illustrates examples of its work (chapter 3.). Finally, it addresses some key challenges facing both the individual councils and the network (chapter 4.).

2 The nature and types of advisory councils for environmental policy and sustainable development in the EU

2.1 Establishment of advisory councils, composition, role and function

The earliest initiatives of governments in the late 1960s and early 1970s to establish an environmental advisory council took place in Sweden (Environmental Council, 1968), the United Kingdom (Royal Commission for Environmental Pollution, 1970) and Germany (Advisory Council on the Environment, 1971). Denmark and the Netherlands also have a longstanding tradition of governmental advisory councils. This first phase originated with the emergence of the environment as a distinct policy field, and the need for governments to gain access to a source of independent advice and information concerning the environment.

This first round was followed by the establishment of similar bodies in other European countries such as Finland, Austria and Belgium, and a little later in Ireland and Spain, together with considerable restructuring in the Netherlands and Denmark. Similar bodies were later created in some accession countries, namely in Poland, Slovenia, Hungary and Lithuania, and are still in existence in the first three countries.

The major political influence upon the second wave of the establishment of advisory councils was the UN Conference on Environment and Development (UNCED) in Rio, 1992. Following the recommendations of Agenda 21, many countries have created national mechanisms to follow up the Rio agreements, including initiating processes to formalise the participation of relevant stakeholders in sustainable development. These two functions are often combined with the creation of a body in the form of a National Commission for Sustainable Development (NCSD) with a more or less explicit role in the development and monitoring of national sustainable development strategies. Early movers here were Belgium, Finland and the UK, followed by Portugal, Ireland and Germany.

¹ expressed in this chapter are personal to the author and do not necessarily reflect the views of the EEAC or any of its councils.

Function	applies to			
	all SDCs [1]	most SDCs	expert/env. councils	the Finnish model
Advisory board to the government, - from a viewpoint of civil society - from an expert viewpoint	X (X)		(X) X	(X)
Prompter/watchdog for the holistic/integrated and long-term view		X	X	(X)
Think-tank		X	X	
Stakeholder/expert dialogue 'among them- selves', including aimed consensus building among the members	X			
Stakeholder members to introduce the views into their organisations	X			(X)
Agenda setting and tackling difficult policy is- sues (unexpected agreements are appreciated), opinion forming	X		(X) [no explicit stakeholder agreements]	(X) [no stake- holder agreements]
Fostering societal dialogue on SD policies by addressing multipliers	X		(X)	X
Encouraging and stimulating good practice	X		(X)	X

Table 1: General functions of advisory councils

[1] and to environmental councils with a stakeholder composition, such as the Hungarian OKT and the Flemish Mina-raad.

Compositions of environment and SD councils are as follows:

'Scientific/Expert': Environmental Advisory Councils are typically composed of experts with various backgrounds, sometimes strictly from academia. It is their interdisciplinary approach to policy assessment that makes them distinctive. Since the emergence of sustainable development as a new approach, most of them have also addressed this concept and its policy implications, albeit to differing extents, which seems to partly correlate with the general state of environmental policy in the respective country (cf. Table 2).

'Stakeholder': In these formations, council members are chosen with the purpose of 'representing' key societal/interest groups. In most cases however, the set up and working style of the council aims to stimulate dialogue among stakeholder groups and to allow free deliberation, rather than to negotiate the positions of the individual groups (such as in social partnerships, for example). With the exception of the 'Finnish model', the SD councils, in the same way as expert councils, do not have government members (except purely as observers), but develop separate links to governmental actors. In Finland, the SD council itself serves as a platform for dialogue between government and non-governmental

actors, and hence does not aim to foster dialogue among stakeholders. Interestingly, most SD councils in the new member states follow this model (cf. chapter 2.3). The following functions are typically allocated to advisory councils¹:

The expert councils serve mainly as independent advisors to the government, and there are naturally no expectations placed on dialogue among stakeholders, nor do they have any explicit role to communicate environment/SD to a broader public. They focus on assessing government policies, and give recommendations for new policies under development.

2.2 Existence of advisory councils for environment and/or SD across EU member states

Information about all EEAC councils are methodically presented on the EEAC website (background and mission, members, current and future priority fields of the council, publications and advice).²

¹ Modified, from Niestroy, I. (2005): Sustaining Sustainability – a benchmark study on national strategies towards sustainable development and the impact of councils in nine EU member states. EEAC series, Background study No.2. Lemma, Utrecht. P. 43.

² www.eeac-net.org → councils.

Four *old member states* do not have an advisory council³: *Denmark, Greece, Italy, Luxembourg*.

- Denmark used to have an Environment Council, which was dissolved in 2002 by a new government.
- Greece however, established an SD/Environment Council in 2002, which began to work. There is now a National Centre for Environment and Sustainable Development with policy advisory tasks.
- Italy has never had a Council.
- Luxembourg passed a law on sustainable development in 2004 that also makes provision for the establishment of an SD council, which will probably take place in 2005.

Spain had an Environmental Council, which operated for several years after 1995; it was re-established with a different composition at the end of 2004. Catalonia is the only region in Spain which has an SD Council.

France had a functioning SD council (CFDD), whose term was not prolonged by a new government; a succeeding body was installed instead (CNDD), which has a rather unusual composition of 80 members, and hence cannot really be considered as a 'council'.

Most of the 10 old member states *with* a council have more than one. For example, in the federal countries Belgium and Germany, there are one or more federal councils and a number of regional ones⁴. Other countries such as the Netherlands have one advisory council for each Ministry⁵, others have both an environment council and an SD council (e.g. Austria, Finland, Germany, Ireland, UK), and Sweden has a tradition of establishing expert committees for new and complex policy fields, which, in contrast to the environment council MVB, are typically temporary.

³ As there is no systematic difference between the term 'council' or 'commission' for such advisory bodies, this article uses 'council' as the less confusing one.

⁴ This applies to Belgium with a federal SD council and three regional councils for environment and/or SD (Flemish *Mina-raad*, Walloon *CWEDD*, Brussels *CERBC*). Germany has three national councils (the Environment Council *SRU*, the SD Council *RNE*, and the Council for Global Change *WBGU*), and a few regional ones that have evolved in recent years (e.g. in Northrhine-Westphalia and Baden-Wuerttemberg). In the UK there are two national councils: the Environment Council (*RCEP*) and the SD Commission (*SDC*); here also the government agencies for nature protection have to some extent the function of giving policy advice (the Welsh *CCW*, the Scottish *SNH*, English *Nature*, and the somehow overarching agency *JNCC*, which is mainly responsible for international affairs).

⁵ and so-called 'sector councils', each giving advice to several Ministries on research questions in certain fields (like the Advisory Council for Research on Spatial Planning, Nature and Environment, *RMNO*); there is so far no SD council.

From the 10 *new member states*, five have an advisory council for environment and/or SD in place, and/or for which information is available: *Czech Republic, Hungary, Malta, Poland, Slovenia*.

- The most well established councils, with their own budget and a small secretariat are found in Hungary (as of 1996) and Slovenia (as of 1993), whereas the Polish *PROS* is working on a slightly lower level (as of 1993). All of them are environment councils; the Hungarian *OKT* has a stakeholder composition, the Slovenian *CEPRS* an expert composition, and the Polish *PROS* is 'scientific' (academia only). Slovenia and Poland also established an additional SD council in 2003, but in neither country has the council gone beyond the founding phase.
- Malta established an SD council in 2001, which played an active role in the elaboration of the Maltese SD strategy and coordinated the consultation process.
- The Czech Republic established an SD council in 2003, which has played a role in the redrafting of the Czech SD strategy, consultation and monitoring.
- Estonia was the first accession country to establish an SD council in 1996; there is no information about its activities as of 2003.
- Lithuania had an SD council as of 2000, but it terminated with the *WSSD*. This seems to similarly apply to the Slovak SD council.
- Latvia established an SD council in 2002, which was developed into a 'Council of National Economy' by a new government. No further information is available.
- Cyprus has supposedly had an independent stakeholder-type council for the environment. To date, no further information has been gathered.

Establishments of SD councils are linked to differing extents to the preparation of an SD strategy, with the strongest link found in Germany and the UK.⁶

2.3 Independence vs. government lead: relation to working style and function

As Table 2 shows, almost all councils in the *old member states* are set up as independent bodies as either an expert or a stakeholder council (cf. ch. 2.1).

⁶ In the new member states Estonia and the Czech Republic the link is also strong; in Lithuania and the Slovak Republic a council was apparently installed solely for the preparation of the *WSSD*. The Hungarian government decided in early 2005 to elaborate an SD strategy, and is considering the establishment of an SD council.

Independence in structural terms typically means that a council has only non-governmental members, its own budget and a small secretariat, typically and preferably neither based within a Ministry, nor recruited from Ministry staff. It is hence only linked to a government institution⁷ in administrative terms⁸. Some councils have government members as observers (e.g. Belgium, Netherlands, Portugal), which serves the function of presenting a dialogue to the government, which is supplementary to dialogue *among* stakeholders and only works well if the independence in principle is acknowledged by government and if the council has developed a certain self-consciousness.

Such a structural setting is chosen if the government wishes a council to fulfil the function of 'giving independent advice', as a council with government members obviously cannot criticise government policy. The council members are appointed by government, with suggestions and nominations deriving from all kinds of sounding processes.

EEAC bears the term 'advisory' in its title to denote this key function, which applies to all independent councils.

Table 2 shows that most of the councils in the old member states are set up as independent ones. Exceptions are the 'Finnish model' for an SD 'council' (cf. chapter 2.1) and the Swedish Environment Council, which has been chaired by the Minister for Environment during most of its years in existence. In both countries, such a setting is due to a political culture that comprises a generally closer relationship between government and non-governmental actors.⁹

In contrast, only 2 – 3 of the *new members states* have an independent council, namely Hungary and Slovenia (Poland to a lesser extent). All other SD councils, at whichever stage of their existence, are government led. As government members also tend to make up the majority of members, it may be stated that these bodies are more of an inter-ministerial working group with NGO participation than SD councils with the above-mentioned functions. It is perhaps due to the rather young democracies in the new member states that this type of council is preferred: both because governments are more comfortable with this model, and because civil society is not (yet) well organised.

⁷ i.e. a Ministry, an Agency or another body.

⁸ e.g. staff contracts, provision of premises, financial administration or auditing.

⁹ The Swedish MVB has meanwhile developed a mixed model, which serves both the purpose of being close advisors to the Minister, and elaborating independent positions in its Working Groups.

As analysed in Table 2, the more governmental type of SD 'council' also correlates with a certain working style. All of them (in the cases where information is available) meet only around four times per year, and also only for 2 – 3 hours, which is more of a hearing type of meeting than a deliberation, particularly as these bodies also tend to have rather a lot of members (more than 30). The independent type of council meets more often, typically once a month, and the meetings have a longer duration. Those of the independent SD councils that have a higher number of members (e.g. the Belgian FRDO-CFDD) meet less in Plenary, but have several working groups which meet more often. More regular and intensive meetings are important for a council, as is a committed chair.

3 The EEAC network

3.1 Roots, principles and the development of internal structures

Being confronted with the increasing importance of EU environmental policy to national policy making, environmental advisory councils from Belgium, Germany, the Netherlands and the UK took the initiative in 1993 to establish some systematic information exchanges on issues of common interest and concern, largely based on an annual meeting focused on a single topic. In 1996, significant steps were taken towards institutionalising a network: a subscription fee was introduced with the purpose of financing a secretariat post and a common website. In addition, a small Steering Committee was elected to provide overall direction and strategy and to assist in representing the network throughout the year. The development of the underlying structure of the network, however, has not followed a conventional organisational path, and has had to be sensitive to the independent nature of the councils, their diversity of structures and remits, and their relationships with national governments. These requirements are reflected in a number of principles that have guided the development of the network to date. In 2003, membership was broadened to also allow SD councils, if endorsing the view of the network on sustainable development¹⁰: *'The fundamental principle underlying the EEAC network is the common understanding that present trends in production, consumption, trade, and economic development as a whole are rooted in unsustainable uses of natural resources. The global challenge*

¹⁰ For more details on the historic development cf.: Macrory, R. and Nestroy, I. (2004): Emerging Transnational Policy Networks: The European Environmental Advisory Councils. In: Vig, N.J. and Faure, M.G. (2004): Green Giants? Environmental Policies of the United States and the European Union. MIT Press, Cambridge. p. 305–328.

*confronting humankind is to move to a new and more sustainable concept of development. This new concept of development will acknowledge economic needs and social aspirations, but also will respect the constraints imposed by the requirement to protect the critical and unique values of the natural environment.'*¹¹

In 2004, the network decided to establish a legal entity, mainly for managerial reasons, which would be responsible for the secretariat, that had previously been 'hosted' by members on a rotating basis, providing relevant services. The overall spirit of a bottom-up approach has been maintained by continuing rotation of key responsibilities.

Only in a few cases is the relationship between environment councils and SD councils not fully mutually supportive. Overall, it has become widely acknowledged that it is beneficial to have both types in a country, which reflects the relationship between the two policy fields:

Environment as a pacemaker, - and environment councils hence providing policy analysis and expert evaluations, and SD councils with the more overarching view and providing stakeholder dialogue, and contributing to the creation of ownership in society.

Establishing councils in countries where they do not yet exist, and supporting capacity building in countries where civil society is not yet well organised, are therefore challenges in themselves. Councils should be set up in such a way that enables the development of an atmosphere of open minds, based on trust, self-reflection, creativity and trend-scouting. It would therefore be preferable for government-led councils to move towards a more independent setting.

3.2 Objectives and outcomes

The core objectives of the EEAC network are:

- to enrich the advice the individual councils give to their national and regional governments,
- to provide an operational framework for joint activities,
- to profit from the experiences and work of councils in other countries,
- to anticipate better forthcoming strategic issues at European level,

- and, where appropriate, to exert an influence on policy developments at EU level by acting cooperatively.

The notion of giving collective, and targeted, advice on EU policy has developed in the course of consolidating the network. For various reasons, it has emerged that such advice elaborated by the network is limited to around one instance per year. This is on the one hand due to the primary, or even exclusive, remit of councils, to advise national and regional governments, which limits their capacity for proactive advice on EU policy. On the other hand, the network has also agreed that the primary networking functions are to be prioritised. The tradition has developed that such a joint statement is elaborated for the (annual) EEAC conference, which is hosted by members on a rotating basis.¹² EEAC has several Working Groups (WG), one of which provides the mechanism for preparing a joint statement per year.

The first powerful example of joint advice for a recent policy development at EU level was the EEAC statement 'Greening Sustainable Development Strategies', which was elaborated in 2000 as a recommendation for the EU SD strategy, adopted by the Gothenburg Summit in June 2001. It was endorsed by the vast majority of EEAC councils, and timely presented at an EEAC conference in Stockholm in February 2001. As is generally the case, it is not clearly assessable if and how the councils' advice influences government policy, but actors from within the European Commission and the Member States appreciated the recommendations.

In 2002, a statement was presented on the mid-term review of the Common Agriculture Policy, which took place in the same year. It was also discussed with individual officials from DG Agriculture and Environment.

For the following year, a broader theme was chosen as highly important, and the statement on 'European Governance for the Environment' was discussed at the annual conference 2003. This deliberately took place during the Italian Presidency, in collaboration with the European University Institute in Florence, and was also meant to stimulate the Italian government to consider establishing an advisory council. The statement was accompanied by a background paper, which laid the basis for a proposed frame-

¹¹ Art. 1 of the 'Framework for EEAC', which was endorsed in 2002 on the basis of a statement on 'Greening Sustainable Development Strategies' (2001; www.eeac-net.org).

¹² All EEAC statements maybe downloaded on www.eeac-net.org, and are available in printed versions from the EEAC Office, c/o Mina-raad, Kliniekstraat 25, B - 1070 Brussels.

work for environmental decision-making¹³. Reflecting on the Commission's White paper on European Governance of 2001 and a number of follow-up communications and other policy processes, EEAC here 'cautions the EU and national governments against an imbalanced move towards devolution and deregulation in environmental policy, and calls for a differentiated, problem-based and solution-oriented choice of strategies'. It recommends that EU institutions and member states should opt for a twofold strategy, consisting in:

- 'careful and problem-based experimentation with new modes of environmental governance,
- while at the same time maintaining the traditional capacity for direct regulatory intervention'¹⁴.

EEAC proposes a heuristic framework for available governance options (direct regulation, flexible mix of instruments, reflexive social learning), depending on the type of problem (imminent danger, persistent problems, emerging and complex local problems) and allocating the key actors to the respective problem-solving tasks.¹⁵

Because of its broad and rather fundamental nature, it is expected that this governance statement may be revisited over a substantial period of time. As regards outreach, the statement was as usual discussed with individual officials of the European Commission (DG Environment, DG Research and the Secretariat General).

In 2004, during the process at EU level to elaborate a Marine Strategy as one of the Thematic Strategies under the 6th Environmental Action Program (EAP), EEAC presented a joint statement 'Towards a European Marine Strategy' at its annual conference in Berlin. The Marine Working Group that had elaborated this statement had also been involved in the stakeholder consultation process, organised by the Commission with several expert groups. It found many of its comments taken into account in the Commission's drafts and was hence broadly supportive of the Marine Strategy represented by papers seen at that time. In what later became an 'EEAC statement' (i.e. endorsed by a majority of EEAC councils), procedural shortcomings and omissions from the strategy were addressed. EEAC *inter alia* recommends that the Marine Strategy should be a 'binding Framework Document, the text of which should suggest for further consideration of the op-

tions for 'daughter legislative instruments' to more fully implement specific commitments in the Framework'¹⁶. Defining the 'Desired State of the Marine Environment' is considered as essential, and as a fundamental criterion to providing an overarching goal for the strategy: 'All marine ecosystems are managed in ways which allow them to function in a balanced, self-sustaining way in the face of environmental change, supporting both biodiversity and human activities (importantly, this implies that heavily-modified ecosystems must be restored to good ecological potential).'¹⁷ EEAC members also participated in the subsequent stakeholder conference in Rotterdam, during which the Commission representatives were sympathetic to the suggestion of a Framework Directive.

The statement for the 2005 conference focusses on the implications of climate change for biodiversity, and is hence targeted to one of the priorities of the UK Presidency. This Working Group has also participated in and provided input for a stakeholder consultation process organised by the Commission, in the form of 'Biodiversity Expert Groups', for each of the four 'Biodiversity Action Plans' under the EU Biodiversity Strategy.

Expert group consultation processes of this nature have become more common for EU (environmental) policy proposals, and EEAC representatives partly participate therein, - providing that joint positions have been developed in EEAC Working Groups, and that capacity allows it.

Besides the roughly annual EEAC statements, Working Groups also prepare and issue advice and papers on their own behalf (i.e. fewer numbers of councils endorsing a statement). Recent examples include a statement of the WG Energy '70/30 - Towards European targets for Greenhouse Gas Reduction 2050 and 2020', which was endorsed by nine councils from seven member states. Similarly, the WG Agriculture is preparing a statement on EU rural development policies, which will be discussed at a conference in Hungary in October 2005. The WG Marine is providing further input on aspects of the EU Marine Strategy, drawing on the EEAC statement of 2004.

The WG Sustainable Development has issued several recommendations for the ongoing process of the EU SD strategy implementation and review, as well as joint input to the formalised (web-based) consultation procedure launched by the Commission. Some councils contributed individually here

¹³ Meuleman, L., Niestroy, I., Hey, C. (2003): Environmental Governance in Europe. RMNO Background Studies (V.02). Lemma, Utrecht. P. 14, p. 23 and thereafter.

¹⁴ P. 13, *supra*.

¹⁵ P. 14 and thereafter, p. 26 and thereafter, *supra*.

¹⁶ EEAC statement 'Towards a European Marine Strategy' (www.eeac-net.org), p. 3.

¹⁷ P. 4, *supra*.

too (namely the Austrian Forum, the Belgian FRDO-CFDD, the German RNE and the Irish Comhar), which may be interpreted as an indicator for increased awareness of the importance of vertical integration, resulting in the provision of some capacity to contribute to EU policy developments. Some environment councils have so far contributed directly to EU policies, such as the German SRU and the UK RCEP on the REACH proposal, the Dutch RLG on agriculture and rural development policies on several occasions, and/or by translating own advice (to national governments) that also covers EU policies.

In 2003, the WG Sustainable Development launched an outstanding initiative for conducting a benchmark study on national processes towards sustainable development and on the role and impact of councils.¹⁸ The study provides an inside story on the state of the art of national strategies and processes for sustainable development in nine EU member states. It focuses on the governance of sustainability including horizontal and vertical coordination, and the links between government and non-governmental actors. It particularly explores the role of advisory councils for sustainable development and environment, how they have been established and operate, how they contribute to the creation of effective national sustainable development strategies and to their implementation and monitoring, how they foster stakeholder dialogue and contributions, and how they help to bridge the various gaps between different actors on sustainability issues. The study identifies key achievements and challenges in all participating countries, provides a comparative analysis, and proposes ways for improvement. The study also explores links (and gaps) between national sustainable development strategies and the EU Sustainable Development Strategy and its implementation, and identifies possible measures for strengthening this link. The results have been presented at various occasions and will support the ongoing work of this WG.

EEAC has also agreed to cooperate with the European Economic and Social Committee (EESC), which will possibly take up a monitoring function for the implementation of the EU SD strategy. It has played an active role in a series of conferences organised by a network of government officials responsible for member states' SD strategies (The Hague 2002, Vienna 2003, Kinsale 2004, Windsor 2005).

4 Conclusions and challenges

¹⁸ Niestroy, I. (2005), cf. footnote Fehler! Textmarke nicht definiert..

Advisory councils are clearly no panacea, yet they are widely considered as useful mechanisms for the above mentioned tasks and objectives. Many of the long-standing environment councils have gained a strong reputation for their critical advice. The inherent challenge has always been to 'bridge the gap' between scientific knowledge and policy, and to strike a balance between strong scientific foundation and targeted policy advice. The (mostly younger) SD councils are themselves experimental fields for sustainable development as a learning process. Challenges here include:

- promote and support better links between the national and international SD strategies;
- strengthen links with regional and local activities, e.g. Local Agenda 21 processes;
- improve links to other councils (e.g. social-economic ones), and partly: make better use of potential for mutual support with environment councils;
- make better use of potential for learning from other councils (e.g. working style, approaches, initiatives, relations to government),
- continue to raise awareness of the governance dimension of sustainable development.

Obviously, the extensive field of environmental policy and integration, as well as the even wider concept of sustainable development challenges each individual council as a small body with limited resources. Priority setting is key, and advice topics must be well chosen and targeted. With the establishment of the EEAC network, and working towards its consolidation and increased effectiveness, councils have shown their awareness of the importance of EU policies, and of the increasing EU influence upon national policies. National and regional governments with established advisory councils have widely welcomed this engagement, and their national and regional councils' cooperation with colleagues from other member states. In addition to this, it would be desirable to make the task of working pro-actively on EU policies explicit in the statutes or remit of the councils. This would better safeguard that the significance of EU policy and the importance of links and occasional collective action with other European councils is acknowledged and does not become sidelined by national priorities due to already tight agendas and programmes.

The EEAC network has been developed over the course of a few years from a set of informal discussions between a small number of advisory councils to what is now an extensive network, which can be a distinctive source of influence on environmental policy and sustainable development, both at Community level and within individual countries. The

influence of joint EEAC statements can be powerful, because they are based on sound deliberation within each council's interdisciplinary and/or stakeholder setting, and endorsed by a large number of councils across EU member states, with the network's decision-making carried out by processes of consensus building rather than formal voting.

The EEAC will continue to promote the value of independent, official advisory bodies as an element of good governance, within EU member states, in other European countries and in other regions of the world. At the end of the day, its greatest strength will rest on the willingness and capacity of councils to network with each other, the sharing of experiences and perspectives, learning from each other, and recognising those areas where collectively agreed viewpoints transcending national perspectives are vital for a more sustainable development in Europe.

The Öko-Institut (Institut für angewandte Ökologie - Institute for Applied Ecology, a registered non-profit-association) was founded in 1977. Its founding was closely connected to the conflict over the building of the nuclear power plant in Wyhl (on the Rhine near the city of Freiburg, the seat of the Institute). The objective of the Institute was and is environmental research independent of government and industry, for the benefit of society. The results of our research are made available of the public.

The institute's mission is to analyse and evaluate current and future environmental problems, to point out risks, and to develop and implement problem-solving strategies and measures. In doing so, the Öko-Institut follows the guiding principle of sustainable development.

The institute's activities are organized in Divisions - Chemistry, Energy & Climate Protection, Genetic Engineering, Sustainable Products & Material Flows, Nuclear Engineering & Plant Safety, and Environmental Law.

The Environmental Law Division of the Öko-Institut:

The Environmental Law Division covers a broad spectrum of environmental law elaborating scientific studies for public and private clients, consulting governments and public authorities, participating in law drafting processes and mediating stakeholder dialogues. Lawyers of the Division work on international, EU and national environmental law, concentrating on waste management, emission control, energy and climate protection, nuclear, aviation and planning law.

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The University of Applied Sciences in Bingen was founded in 1897. It is a practiceorientated academic institution and runs courses in electrical engineering, computer science for engineering, mechanical engineering, business management for engineering, process engineering, biotechnology, agriculture, international agricultural trade and in environmental engineering.

The *Institute for Environmental Studies and Applied Research* (I.E.S.A.R.) was founded in 2003 as an integrated institution of the University of Applied Sciences of Bingen. I.E.S.A.R. carries out applied research projects and advisory services mainly in the areas of environmental law and economy, environmental management and international cooperation for development at the University of Applied Sciences and presents itself as an interdisciplinary institution.

The Institute fulfils its assignments particularly by:

- Undertaking projects in developing countries
- Realization of seminars in the areas of environment and development
- Research for European Institutions
- Advisory service for companies and know-how-transfer

Main areas of research:

- **European environmental policy**
 - Research on implementation of European law
 - Effectiveness of legal and economic instruments
 - European governance
- **Environmental advice in developing countries**
 - Advice for legislation and institution development
 - Know-how-transfer
- **Companies and environment**
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 - Risk management

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The Society for Institutional Analysis was established in 1998. It is located at the University of Applied Sciences in Darmstadt and the University of Göttingen, both Germany.

The sofia research group aims to support regulatory choice at every level of public legislative bodies (EC, national or regional). It also analyses and improves the strategy of public and private organizations.

The sofia team is multidisciplinary: Lawyers and economists are collaborating with engineers as well as social and natural scientists. The theoretical basis is the interdisciplinary behaviour model of *homo oeconomicus institutionalis*, considering the formal (e.g. laws and contracts) and informal (e.g. rules of fairness) institutional context of individual behaviour.

The areas of research cover

- Product policy/REACH
- Land use strategies
- Role of standardization bodies
- Biodiversity and nature conservation
- Water and energy management
- Electronic public participation
- Economic opportunities deriving from environmental legislation
- Self responsibility

sofia is working on behalf of the

- VolkswagenStiftung
- German Federal Ministry of Education and Research
- Hessian Ministry of Economics
- German Institute for Standardization (DIN)
- German Federal Environmental Agency (UBA)
- German Federal Agency for Nature Conservation (BfN)
- Federal Ministry of Consumer Protection, Food and Agriculture

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elni

In many countries lawyers are working on aspects of environmental law often with environmental initiatives and organisations or as legislators, but have limited contact with other lawyers abroad, although such contact and communication is vital for the successful and effective implementation of environmental law.

In 1990 a group of lawyers from various countries therefore decided to initiate the Environmental Law Network International (elni) to promote international communication and cooperation worldwide. Since then elni has grown to a network of about 350 individuals and organisations from throughout the world.

Since 2005 elni is a registered non-profit association under German Law.

elni coordinates a number of different activities:

Coordinating Bureau

The Coordinating Bureau was originally set up at and financed by the Öko-Institut in Darmstadt, Germany, a non-governmental, non-profit making research institute. The Bureau is currently hosted by the University of Applied Sciences in Bingen. The Bureau acts as an information centre where members can obtain information about others working in certain areas thus promoting the development of international projects and cooperation.

elni Review

The elni Coordinating Bureau produces and sends to each member the elni Review twice a year containing members' reports on projects, legal cases and developments in environmental law. elni therefore encourages its members to submit such articles to be published in the Review in order to allow the exchange and sharing of experiences with other members.

elni Conferences and Fora

elni conferences and Fora are a core element of the network. They provide scientific input and the possibility for discussion on a relevant subject of environmental law and policy for international experts. The aim is to bring together scientists, policy makers and young researchers, giving the opportunity to exchange views and information as well as developing new perspectives.

Publication Series

The elni publications series contains 12 volumes on different topics of environmental law.

- Environmental Law and Policy at the Turn to the 21st Century, Liber amicorum, Betty Gebers, Ormond/Führ/Barth (eds.) Lexxion 2006.
- Access to Justice in Environmental Matters and the Role of NGOs, de

Sadeleer/Roller/Dross, Europa Law Publishing 2005.

- Environmental Law Principles in Practice, Sheridan/Lavrysen (eds.), Bruylant 2002.
- Voluntary Agreements - The Role of Environmental Agreements, elni (ed.), Cameron May Ltd., London 1998.
- Environmental Impact Assessment - European and Comparative; Law and Practical Experience, elni (ed.), Cameron May Ltd. London 1997.
- Environmental Rights: Law, Litigation and Access to Justice, Deimann / Dyssli (eds.), Cameron May Ltd. London 1995.
- Environmental Control of Products and Substances: Legal Concepts in Europe and the United States, Gebers/Jendroska (eds.), Peter Lang, 1994.
- Dynamic International Regimes: Institutions of International Environmental Governance, Thomas Gehring; Peter Lang, 1994.
- Environmentally Sound Waste Management? Current Legal Situation and Practical Experience in Europe, Sander/ Küppers (eds.), P. Lang, 1993
- Licensing Procedures for Industrial Plants and the Influence of EC Directives, Gebers/Robensin (eds.), P. Lang, 1993.
- Civil Liability for Waste, v. Wilimowsky/Roller, P. Lang 1992.
- Participation and Litigation Rights of Environmental Associations in Europe, Führ/ Roller (eds.), P. Lang, 1991.

elni Website: elni.org

The elni website at <http://www.elni.org> contains news about the network and an index of elni articles, gives an overview of elni activities, and informs about elni publications. Internships for young lawyers/law students at the Öko-Instituts environmental law division are also offered on the web.